

## **REMARKS/ARGUMENT**

### **Request for Extension of Time:**

A Request for Extension of Time has been filed herewith.

### **Regarding the Claims in General:**

Claims 1-23 remain pending, with claims 12-16 before the Examiner for consideration. Claims 1-11 and 17-23 are withdrawn as directed to a non-elected invention. Claim 15 has been amended for clarification of a previously claimed feature, without change in scope, and to correct a typographical error. The remaining claims are unchanged. No new matter has been introduced.

### **Regarding the Prior Art Rejections:**

In the outstanding Office Action, claims 12-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Akitaya et al. U.S. Patent 6,820,018 (Akitaya). This rejection is respectfully traversed.

The Examiner correctly perceives that Akitaya discloses a timing device to shut off power to an inactive unit, such as a printer or a portable electronic device. However, Akitaya's device is not constructed in the manner of the claimed invention, nor does it function in the same way.

Claim 12 calls for:

A small thin disc configured and sized for insertion in a battery cavity between a load device and the battery having an automatic shut off timing device whose action is inhibited by a motion detector.

To begin with, nowhere in Akitaya is there a disclosure, teaching or suggestion of a small thin disc configured and sized for insertion in a battery cavity between a load device and the battery. In Akitaya, the load device illustrated is printer 54. In the embodiment of Fig. 8, a microprocessor 56 which controls various system operations, also shuts down the power to the printing unit 54 after a preset interval of inactivity. In the embodiment of Figs. 9 and 10, a separate timer 57 performs this function. There is neither a battery cavity as such, nor any suggestion that units 56 or 57 are intended to be housed in a small thin disk for insertion into a battery cavity. For these reasons alone, claim 12 is not anticipated by Akitaya.

In addition to the above-described structural differences, there is no disclosure, teaching or suggestion in Akitaya that the timing function should be inhibited by a motion detector. Element 28 does sense motion of the LEDs on print head 22, but this is not for controlling power. Instead, this is used as a motion encoder for synchronizing the delivery of data to the printer head. This will be apparent from consideration of Fig. 2 and the accompanying description. There is, in fact, no description of how the inactivity period of the printer is determined. For this reason as well, claim 12 is not anticipated by Akitaya.

Independent claim 15 is also not anticipated by Akitaya. This claim recites:

A control device comprising a self-contained electrical circuit adapted to be removably inserted in series with a battery power source for a battery powered load device including a timer that automatically times out and shuts off the battery power to the load device at a predetermined time after the load device is turned on.

From the description above, it should be apparent to the Examiner that there is no disclosure, teaching or suggestion in Akitaya of a self-contained timing out device which is adapted to be removably inserted in series with a battery power source.

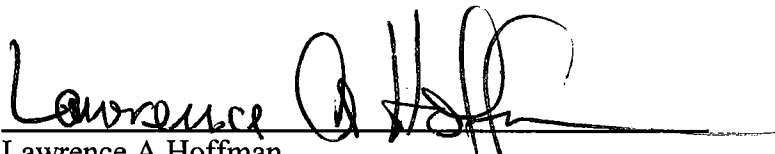
Claims 13 and 14 are dependent on allowable claim 12, and claim 16 is dependent on allowable claim 15. These claims are therefore also allowable for the reasons stated above. In addition, these claims recite features which, in combination with the features of their respective parent claims are neither anticipated by nor rendered obvious by Akitaya or any other known prior art.

In view of the foregoing, favorable reconsideration and allowance of this application are respectfully solicited.

THIS CORRESPONDENCE IS BEING  
SUBMITTED ELECTRONICALLY  
THROUGH THE PATENT AND  
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LAH:lac

Respectfully submitted,

  
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